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UNCLAS SECTION 01 OF 02 SKOPJE 000579

SIPDIS

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FOR G/TIP (SALLY NEUMANN), DOJ (JOE JONES), DOJ/OPDAT (CARL ALEXANDRE)

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SUBJECT: MACEDONIA: MIXED PROGRESS ON THE ANTI-TIP FRONT

REF: SKOPJE 365

Summary

¶1. (SBU) Recent anti-TIP raids, TIP convictions, and the arrest of a fugitive convicted of trafficking indicate the Macedonian government is sustaining its anti-TIP efforts, which intensified in the first quarter of 2007 (reftel). Despite that progress, the police need to redouble and refocus efforts to properly identify potential TIP victims during raids, and the judiciary remains the weak link in the government's anti-TIP efforts. End summary.

Anti-TIP Raids - Difficulties Identifying TIP Victims

¶2. (SBU) On June 20, local police conducted two anti-TIP raids on nightclubs in western Macedonia. During the operation, police discovered 10 foreign and four Macedonian females, all "employees" of the clubs. Following initial interviews, the police from the Sector on Combating TIP determined that there "were no elements of trafficking" involved in the employment of most of the women, and deported seven of the foreigners who were working illegally. Four Macedonian females were released without further action; three of the foreigners remained in the Skopje Transit Center for additional interviews to determine whether they were TIP victims. The owners of the nightclubs, Nafi Mustafi and Miniri Rami, were charged with violating employment regulations and are expected to face trial. (Note: Miniri Rami has been convicted on TIP charges in the past. If convicted on the violation of employment regulation charges, Mustafi and Rami could be sentenced to up to a year in prison. End Note.)

¶3. (SBU) On the evenings of July 6 and July 9 in the western Macedonian cities of Gostivar and Tetovo respectively, local police conducted raids on four nightclubs suspected of involvement in TIP activities. During the raid on the "Oriental Ace" club -- the third raid there since late April (reftel) -- the police found 11 foreign females and one Macedonian female working at the establishment. At the "Nota" club, police discovered 11 foreign and two Macedonian potential TIP victims. All of the female foreigners were taken to the MOI's Transit Center for further processing, while the Macedonian females were released. Eight Macedonian women found working in the Tetovo clubs "Las Vegas" and "Rica Donna" also were released without further action. The Public Revenue Office

later closed down the "Oriental Ace" for violating financial regulations.

TIP Conviction and Arrest - Imperfect Outcome, But Better Than Before

¶4. (SBU) On July 6, the Tetovo Basic Court handed down a six-year prison sentence in absentia to Rexep Fejzulai and a four-year prison sentence to Rexep Karimani, both for trafficking-related offenses. The two were tried under Article 418-a(5), for "trafficking in persons under aggravated circumstances," on charges deriving from the "Redgo" case, which began in late April of this year (reftel). Petar Anevski, the Organized Crimes Deputy Prosecutor who prosecuted the case, complained that the presiding judge showed bias in favor of the defendants by failing to comply with minimum standard sentencing guidelines established under Article 418-a(5). Despite his complaints, however, Anevski said he was pleased that the case had been tried quickly and had ended in convictions. Nevertheless, he told us that he planned to appeal what he considered the "overly lenient" sentences.

Catching an Escaped Trafficking Fugitive

¶5. (SBU) On June 20, Macedonian police arrested Mahir Kadrija, a convicted human trafficker who had been on the run since 2004. Originally sentenced to four years in prison based on the testimony of a Romanian TIP victim, Kadrija now has been transferred to the Idrizovo

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correctional facility near Skopje, where he will serve the remainder of his sentence.

Comment

¶6. (SBU) The recent anti-TIP raids, TIP convictions, and the arrest of the fugitive trafficker demonstrate some progress in the GOM's efforts to sustain the fight against TIP. Post's DOJ Police Advisor will continue to work with the police to assist them in quickly and properly identifying TIP victims, instead of deporting foreign victims based on violations of Macedonian employment laws. The quick conviction in the "Redgo" trial is a positive sign of progress in the courts' handling of TIP cases, despite the lenient sentences handed down. As we have reported in the past, the courts remain the weak link in Macedonia's efforts to combat TIP; Post's DOJ Legal Advisor will continue to urge our judicial contacts to hand down sentences commensurate with the gravity of the TIP crimes for which such convictions are obtained.

MILOVANOVIC